

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Through Video Conferencing)**

Original Application No. 13/2018/EZ

Sudhan Das

Applicant(s)

Versus

State of Assam & Ors.

Respondent(s)

Date of hearing: 26.11.2021

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Ms. Paushali Banerjee, Advocate

For Respondent(s) : Mr. Sarosij Dasgupta, Advocate for R-3 & 4,
Mr. Gora Chand Roy Choudhury, Advocate for R-11,
Mr. Surendra Kumar, Advocate for R-12,

ORDER

1. Ms. Paushali Banerjee, learned Counsel is present for the Applicant.
2. Mr. Sarosij Dasgupta, learned Counsel is present for Respondent Nos. 3 & 4, Assam Pollution Control Board, Mr. Gora Chand Roy Choudhury, learned Counsel is present for Respondent No.11, Ministry of Environment, Forest and Climate Change, and Mr. Surendra Kumar, learned Counsel is present for Respondent No.12, Central Pollution Control Board.
3. Ms. Paushali Banerjee, learned Counsel who had earlier filed this Original Application states that she has given 'No Objection Certificate' (NOC) in favour of Mr. Harish Gupta, and, therefore, she will not be appearing in this case for the Applicant.
4. Mr. Harish Gupta, learned Counsel is not present today when the case is being taken up.
5. One compliance affidavit dated 12.11.2021 has been filed on behalf of the Respondent Nos. 3 & 4, Assam State Pollution Control Board, the same is taken on record.
6. In the affidavit, it is stated that amount of Rs. 2, 25, 000/- (Two Lakhs Twenty Five Thousand Only), towards Environmental Compensation fine

had been imposed upon the polluting unit of Respondent No.9, M/s Royal Princes, which the concerned polluting unit has not deposited till date. It is also stated that the said House Boat unit in question has preferred an appeal before the Hon'ble Supreme Court being Civil Appeal No. 5736/2021 (Nabin Das Vs. The State of Assam & Ors.), wherein the Hon'ble Supreme Court has passed the following order which reads as under:-

“ We have heard learned Counsel for the appellant.
Subject to deposit of Rs. 1, 25, 000/- with the Registry of this Court within a period of three weeks, issue notice to respondent nos. 1 to 4.
Dasti, in addition, is permitted to be served.
List on 22.11.2021.”

7. In this view of the matter, we direct this matter to come up after the decision of the Hon'ble Supreme Court in the Civil Appeal No. 5736/2021 (Nabin Das Vs. The State of Assam & Ors.), and the learned Counsel for the Assam State Pollution Control Board shall inform this Court as and when any such decision is taken.
8. **The matter is adjourned *sine die*.**

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B. Amit Sthalekar, JM

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Saibal Dasgupta, EM

November 26, 2021
Original Application No. 13/2018/EZ
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